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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,959

09/12/2003

Donald Fedyk

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EXAMINER

NALVEN, ANDREW L

ART UNIT

PAPER NUMBER

2134

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/661,959

Applicant(s)

FEDYK ET AL.

Examiner

Andrew L. Nalven

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


KAMBIZ ZAND
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 5/9/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-16 are pending.

Claim Objections

2. Claims 7 and 8 are objected to because of the following informalities: The cited claims are presented as dependent upon claim 5. Examiner believes the claims should instead depend upon claim 6 and has interpreted the claims to be dependent upon 6 for the remainder of the office action. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3, 6-7, 9-10, 13-14, and 16 are rejected** under 35 U.S.C. 102(e) as being anticipated by Hoke et al US Patent No. 6,701,437.

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4. **With regards to claim 1**, Hoke teaches receiving at the ingress point of the backbone (Hoke, column 16 lines 23-31, VPN unit receives) group security association data associated with the group of stations (Hoke, column 16 lines 23-31, Figures 7 and 8), receiving a packet at the ingress point of the backbone (Hoke, column 7 lines 46-53, VPN unit receives packet), a packet including an identifier corresponding to the group of stations and a destination address for the packet (Hoke, column 7 lines 46-53, addressed to the VPN, encapsulation includes destination address), transforming, at the ingress point of the backbone, the packet according to the group security association associated with the identifier (Hoke, column 7 lines 46-53, column 9 lines 18-34 and column 9 lines 60-67) and forwarding the transformed packet over the backbone using the group identifier as a backbone address (Hoke, column 7 lines 46-58, strips off).
5. **With regards to claim 2**, Hoke teaches retaining fields of the packet needed to transfer the packet to the destination address over the backbone (Hoke, column 7 lines 47-57, encapsulates).
6. **With regards to claims 3, 7 and 14**, Hoke teaches the ingress point is a customer edge device (Hoke, column 5 lines 59-60).
7. **With regards to claims 6 and 10**, Hoke teaches receiving, at the egress point of the backbone, group security association data for the group (Hoke, column 16 lines 23-31, VPN unit receives), receiving a packet at the egress point of the backbone, the packet identifying the group and a destination for the packet (Hoke, column 7 lines 47-57, column 9 lines 18-34), restoring the packet responsive to the group security

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association data associated with the group (Hoke, column 7 lines 47-57, strip off), and forwarding the packet to the destination (Hoke, column 7 lines 55-57).

8. **With regards to claim 9**, Hoke teaches registering, by the source station, as a member of the private group including receiving a private group identifier and a group security association (Hoke, column 15 lines 31-40), forwarding, by the source station, a packet to the destination station, the packet including the destination identifier and the private group identifier, the step of forwarding including transforming the packet using the group security association (Hoke, column 7 lines 46-53, column 9 lines 18-34 and column 9 lines 60-67).

9. **With regards to claim 13**, Hoke teaches the group comprising at least three stations (Hoke, Figure 1).

10. **With regards to claim 16**, Hoke teaches the means for securing data includes transform logic for encrypting only a portion of data transferred between the ingress point and the egress point of the communication link (Hoke, column 9 lines 61-67, encapsulated portion of data is encrypted, but not VPN headers).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. **Claims 4-5, 8, 12, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoke et al US Patent No. 6,701,437 and Mukherjee et al US PGPub 2004/0006708.

12. **With regards to claims 4, 8, and 12**, Hoke fails to teach the ingress point is a provider edge device. However, Mukherjee teaches the ingress point is a provider edge device (Mukherjee, paragraph 0057, PE). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Mukherjee's provider edge device because it offers the advantage of allowing peer to peer virtual private networking for general consumers who are not affiliated with an enterprise thus allowing multiparty conferences and bridging of friends and family (Mukherjee, paragraph 0004).

13. **With regards to claims 5 and 15**, Hoke fails to teach the ingress point is distributed between a customer edge device and a provider edge device. However, Mukherjee teaches the ingress point is distributed between a customer edge device and a provider edge device (Mukherjee, paragraph 0050, PE and CE). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Mukherjee's distributed edge device because it offers the advantage of allowing peer to peer virtual private networking for general consumers who are not affiliated with an enterprise thus allowing multiparty conferences and bridging of friends and family (Mukherjee, paragraph 0004).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Hama US Patent No. 7,072,346 discloses a network and edge router system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571 272 3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Andrew Naiven

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